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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/081,552	02/22/2002	Charles Kenneth Davis III	RSW920020015US1	4286

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LATHAM, NY 12110

EXAMINER
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LIN, KELVIN Y

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 12/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/081,552	Applicant(s) DAVIS ET AL.	
	Examiner Kelvin Lin	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 01 September 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 2,5,6,10-12 and 17-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,5-6, 10-12, 17-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Detailed Action**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1-16 have been considered but they are not persuasive.
2. Applicant is arguing:
  - 1) Topff fails to teach claim 2 about in automatic response to the occurrence of the trigger event, activating a prearranged user account that enables a service provider to access the system resource, wherein the trigger event includes opening a trouble ticket.
  - 2) Topff does not teach each and every feature of claim 5.

As point 1), where the applicant argues that trouble ticket for the trigger event, being generated in step 700, does not exist when step 610 is performed, it has been considered but it is not persuasive. Topff teaches at Fig.2a, element 610 monitor for event, which is corresponding to awaiting an occurrence of a trigger event. As soon as the event detected (event trigger), Element 614 identifies whether it is the command of a trouble ticket, and then generates trouble ticket and process the system resource. All the steps occurrence in the continuous sequence. Therefore, Topff does teach of in automatic response to the occurrence of the trigger event, wherein the trigger event includes a trouble ticket command, which is corresponding

to the opening a trouble ticket. After that, Topff teaches the process of accessing the system resource.

As point 2), where the applicant argues Topff does not teach each and every feature of claim 5, it has been considered but it is confusing. Because the Applicant repeatedly point to the claim 2 which does not cite the feature of "wherein the trigger event denotes that the system resource has a problem that needs attention of a service provider". Moreover, the similarly statement appears at the 3<sup>rd</sup>, and 4<sup>th</sup> paragraph of page 9.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2, 5-6, 10-12, 17-26 are rejected under 35 USC 103(a) as being unpatentable by Topff et al. in view of Lim et al., (USPGPUB 2004/0210662).
2. Regarding claim 2, Topff discloses a method for automatically providing temporary access for servicing a system resource (Topff, Fig.1), comprising the steps of: awaiting an occurrence of a trigger event associated with a system

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resource (Topff, fig. 2a);

Topff does not specifically disclose the activating the user account, but Lim discloses that in automatic response to the occurrence of the trigger event, activating a prearranged user account that authenticates the service provider to access the system resource to enable the service provider to provide one or more services to the system resource (Lim, [0204], [0207], and [0217], in which the authorized SD to adopt the user's account for the trouble shooting to access the system resource), wherein prior to the prearranged user account being activated the prearranged user account is in dormancy such that use of the prearranged use account is blocked (Lim, [0148], [0149]);

Because knowing that Lim's structure provides internet-enabled service management and authorization system via the network connection, it would have been obvious to use the internet based architecture in the device of Topff to improve the user accessibility.

and the trigger event includes opening a trouble ticket (Topff, col.6, l.62-67, col.7, l.1-5).

3. Regarding claim 5, Topff discloses a method for automatically providing temporary access for servicing a system resource, comprising the steps of: awaiting an occurrence of a trigger event associated with a system resource (Topff, fig. 2a, element 610), wherein the trigger event denotes that the system resource has a problem that needs attention of a service provider (Topff, fig. 2a,

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element 613); in automatic response to the occurrence of the trigger event, activating a prearranged user account that authenticates the service provider to access the system resource to enable the service provider to provide one or more services to the system resource (Lim, [0204], [0207], and [0217], in which the authorized SD to adopt the user's account for the trouble shooting to access the system resource), wherein prior to the prearranged user account being activated the prearranged user account is in dormancy such that use of the prearranged use account is blocked (Lim, [0148], [0149]);

following the occurrence of the trigger event, awaiting an occurrence of a closure event associated with the trigger event (Topff, fig. 2a, element 1100); and in automatic response to the occurrence of the closure event, deactivating the prearranged user account (Topff, col.10, l.32-44).

4. Regarding claim 6, Topff discloses the method of claim 5, wherein the trigger event includes opening a trouble ticket (Topff, col.6, l.62-67, col.7, l.1-5) .

5. Regarding claim 10, Topff discloses the method of claim 5, wherein the closure event includes satisfaction of a temporal condition (Topff, col.8, l.42-52, event information is provided to help application program, and fig. 2c, the element 1000 monitoring the processing then transfer the status information to rules engine for analysis which is corresponding to the satisfaction of the service condition ) .

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6. Regarding claim 11, Topff discloses the method of claim 10, wherein the temporal condition includes expiration of a predetermined interval of time (Topff, col.3, l.47).
7. Regarding claim 12, Topff discloses the method of claim 10, wherein the temporal condition includes arrival of a predetermined time (Topff, col.3, l.47).
8. Regarding claim 17, Topff discloses the method of claim 6, wherein the closure event includes a closure of the trouble ticket in response to the problem being resolved (Topff, col.7, l.24-27, col.13, l.60-67).
9. Regarding claim 18, Topff discloses the method of claim 6, wherein the method further comprises passing the trouble ticket to the service provider, and wherein said passing the trouble ticket to the service provider comprises transferring to the service provider information relevant to the problem (Topff, col.7, l.l.48-54).
10. Regarding claim 19, Lim discloses the method of claim 18, wherein said transferring is implemented by e-mail or through World Wide Web (Lim, [0030]).
11. Regarding claim 20, Topff discloses the method of claim 6, wherein the trouble ticket characterizes a severity of the problems as low, medium, or high (Topff, col.6, l.53, col.13, table 3-cont., the severity is a variable of value and it could be low, medium and high).
12. Regarding claim 21, Topff discloses the method of claim 20, wherein the closure event includes a reduction of the severity of the problem characterized by the trouble ticket (Topff, col.5, l.35-38, the status of efforts to resolve the non-conformance corresponding to the reduction of severity of the problem).

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13. Regarding claim 22, Topff discloses the method of claim 21, wherein the reduction of the severity of the problem includes an installation of a short-term patch (Topff, col.5, l.35-40, in which the useful in resolving computer system problem corresponding to the short term patch).
14. Regarding claim 23, Lim discloses the method of claim 5, wherein the method further comprises establishing the prearranged user account by recording provision of said account on a database (Lim, [0138]).
15. Regarding claim 24, Lim discloses the method of claim 5, wherein the one or more services are selected from the group consisting of repair of the system resource, maintenance of the system resource, performance tracking of the system resource, security management of the system resource, change management of the system resource, and combination thereof (Lim, [0055], and [0125]).
16. Regarding claim 25, Lim discloses the method of claim 5, wherein the problem is selected from the group consisting of a malfunction of the system resource, an overload of the system resource, a degraded performance of the system resource, and an exhausted capacity of the system resource (Lim, [0119]-[0123]).
17. Regarding claim 26, Lim discloses the method of claim 5, wherein the system resource comprises computer-controlled industrial machinery (Lim, Fig. 2).

### ***Conclusion***



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Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MEPE 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelvin Lin whose telephone number is 571-272-3898.

The examiner can normally be reached on Flexible 4/9/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/06/06  
KYL



ANDREW CALDWELL  
SUPERVISORY PATENT EXAMINER